

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota
2 Century Code, relating to state agency program performance measures and outcomes; and to
3 provide for a report.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-35 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Program performance measures and outcomes - Definitions - Monitoring - Reporting.**

8 1. As used in this section:

9 a. "Budget unit" has the same meaning as section 54-44.1-01.

10 b. "New or expanded program" means a new or existing program administered by a
11 budget unit, which has experienced or the budget unit is proposed to experience
12 a new or significant increase or change in scope, purpose, funding source, or
13 budget since the most recent legislative action affecting the program.

14 2. During each regular session, the appropriations committees of the legislative
15 assembly may designate a new or expanded program for legislative monitoring for the
16 upcoming biennium. If the emergency commission and budget section approve a new
17 or expanded program when the legislative assembly is not in session, the budget
18 section may designate the program for legislative monitoring for the remainder of the
19 biennium.

20 3. Each budget unit shall maintain information regarding any new or expanded program
21 designated for legislative monitoring. The information must include:

22 a. The purpose and benefits of the program;

23 b. The problems or needs the program is intended to address;

1 c. Methods to evaluate the program's success, including estimated and actual
2 performance measures and outcomes for the program;

3 d. Budget details by major expense category and funding source; and

4 e. If the program is considered a pilot program, the full implementation cost of the
5 program.

6 4. Each budget unit with a new or expanded program designated for legislative
7 monitoring shall submit information maintained by the budget unit to the legislative
8 council as requested by the legislative council. For each program for which the
9 legislative council receives information, the legislative council shall evaluate the
10 program's estimated performance measures and outcomes compared to actual
11 performance and outcome results to date and if applicable, compare current
12 performance and outcome results to program results in previous bienniums. The
13 legislative council shall provide a report on its evaluation of new and expanded
14 programs with available comparative information as requested by the legislative
15 assembly or legislative management.

16 5. The legislative council shall develop a process to receive and collect information from
17 state employees regarding efficiency or other improvement opportunities related to
18 any new, expanded, or existing budget unit program, including information regarding
19 inappropriate or inadequate actions taken by other state employees in the
20 administration of the program. Information that may be used to identify an individual
21 submitting information under this subsection is a confidential record as defined under
22 section 44-04-17.1. The legislative council shall provide a summary report of the
23 information collected under this subsection to the legislative task force on government
24 efficiency by June thirtieth of each even-numbered year and to the appropriation
25 committees of the legislative assembly during each regular session.

26 6. The legislative assembly may use the information collected and reported under this
27 section to identify expected performance metrics for programs administered by state
28 agencies and to evaluate the programs to determine program effectiveness and
29 whether public moneys should be reallocated for other purposes considered more
30 cost-effective or important for the citizens of the state.